

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEANIECE D. CARTER,

Plaintiff,

No.19-12381

v.

District Judge Paul D. Borman
Magistrate Judge R. Steven Whalen

UNIVERSITY OF TEXAS AT DALLAS,
ET AL.,

ORDER

On August 12, 2019, Plaintiff Geaniece D. Carter filed a *pro se* civil complaint [ECF No. 1]. Before the Court is her motion to disqualify the Texas Attorney General as counsel for Defendants [ECF No. 16].

Motions to disqualify counsel are disfavored and “disqualification is considered a drastic measure which courts should hesitate to impose except when absolutely necessary.” *Glenn v. Nasscond, Inc.*, No. 15-10270, 2016 WL 409409 at *2 (E.D. Mich. Feb. 3, 2016) (quoting *Valley-Vulcan Mold Co. v. Ampco-Pittsburgh Corp.*, 237 B.R. 322, 337 (B.A.P. 6th Cir. 1999)).

As Defendants point out in their response [ECF No. 18], the University of Texas at Dallas is an agency of the State of Texas, and under Texas law is entitled to representation by the State of Texas. Plaintiff does not allege that she had a prior client-attorney relationship with the Texas Attorney General, and therefore lacks standing to request disqualification. *See State Farm Auto. Ins. Co. v. Elite Health Care Ctrs., Inc.*, 2019 WL 2576360, *2 (E.D. Mich. 2019)(citing *Willis v. First Nat’l Bank Ass’n*, 916 F.2d 714 (1990)(Table). In addition, Plaintiff has not identified any conflict of interest

that would necessitate disqualification. *See Dana Corp. v. Blue Cross & Blue Shield Mut. of Northern Ohio*, 900 F.2d 882, 889 (6th Cir. 1990).

Therefore, Plaintiff's motion to disqualify defense counsel [ECF No. 16] is
DENIED.

IT IS SO ORDERED.

s/R. Steven Whalen

R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: October 9, 2019

CERTIFICATE OF SERVICE

I hereby certify on October 9, 2019, that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to non-registered ECF participants on October 9, 2019.